



Los Angeles County Department of Regional Planning

Planning for the Challenges Ahead



April 19, 2016

Richard J. Bruckner
Director

Stephen Kuhn
4381 Canyon Crest Road
Altadena, CA 91001

**REGARDING: PROJECT NO. R2014-02411-(5)
MINOR CONDITIONAL USE PERMIT NO. 201400014 AND OAK TREE
PERMIT NO. 201400035
VACANT SITE ON CANYON CREST RD., ALTADENA (APN 5830-003-016)**


Hearing Officer Alex Garcia, by his action of **April 19, 2016**, has **APPROVED** the above-referenced project. Enclosed are the Hearing Officer's Findings and Conditions of Approval. Please carefully review each condition. This approval is not effective until the appeal period has ended and the required documents and applicable fees are submitted to the Regional Planning Department (see enclosed Affidavit of Acceptance Instructions).

The applicant or any other interested persons may appeal the Hearing Officer's decision. The appeal period for this project will end at 5:00 p.m. on **May 3, 2016. Appeals must be delivered in person.**

Appeals: To file an appeal, please contact:
Regional Planning Commission, Attn: Commission Secretary
Room 1350, Hall of Records
320 West Temple Street, Los Angeles, CA 90012
(213) 974-6409

Upon completion of the appeal period, the notarized Affidavit of Acceptance and any applicable fees must be submitted to the planner assigned to your case. In addition, any applicable CEQA fees for the Department of Fish and Wildlife shall be paid, and a Notice of Determination, if applicable, must be filed with the County Clerk according to the instructions with the enclosed Affidavit of Acceptance. Please make an appointment to ensure that processing will be completed in a timely manner. Failure to submit these documents and applicable fees within 60 days will result in a referral to Zoning Enforcement for further action.

For questions or for additional information, please contact Kristina Kulczycki of the Zoning Permits North Section at (213) 974-6443, or by email at kkulczycki@planning.lacounty.gov. Our office hours are Monday through Thursday, 7:30 a.m. to 5:30 p.m. We are closed on Fridays.

Sincerely,
DEPARTMENT OF REGIONAL PLANNING
Richard J. Bruckner

Maria Masis, Supervising Regional Planner
Zoning Permits North Section

Enclosures: Findings, Conditions of Approval, Affidavit of Acceptance (Permittee's Completion), Notice of Determination (1 original, 1 copy)
c: DPW (Building and Safety); Zoning Enforcement
MM:KK

CC 060412

**FINDINGS OF THE HEARING OFFICER
AND ORDER
COUNTY OF LOS ANGELES
PROJECT NO. R2014-02411-(5)
MINOR CONDITIONAL USE PERMIT NO. 201400014
OAK TREE PERMIT NO. 201500035**

1. The Los Angeles County ("County") Hearing Officer conducted duly-noticed public hearings on April 5, 2016 and April 19, 2016, in the matter of Project No. **R2014-02411-(5)**, consisting of Minor Conditional Use Permit No. 201400014 ("MCP") and Oak Tree Permit No. 201500035 ("OTP"). The MCP and OTP are referred to collectively as the "Project Permits."
2. The permittee, Stephen Kuhn ("permittee"), requests the Project Permits to authorize encroachments into the protected zone of nine oak trees and the removal of one oak tree in order to construct a new single-family residence with an attached two-car garage ("Project") on a vacant parcel of land located at Assessor Parcel Number 5830-003-016 on Canyon Crest Road in the unincorporated community of Altadena ("Project Site").
3. The MCP is a request to construct a single-family residence in the hillside management area of the Altadena Community Standards District ("CSD") in the R-1-10000 (Single-Family Residence - 10,000 Square Feet Minimum Required Lot Area) pursuant to Los Angeles County Code ("County Code") section 22.44.127.
4. The OTP is a request to remove one oak tree and encroach within the protected zone of nine other oak trees in order to construct the single-family residence pursuant to County Code section 22.56.2060.
5. The Project Site is 1.04 acres in size and consists of one legal lot. The Project Site is irregular in shape with steep topography and is currently vacant. The property contains both east-facing and west-facing slopes that are bisected by a stream located approximately 150 feet northwest of the proposed building pad. This area is abundant with oak woodland and also contains Millard Canyon. There is also a drainage course on the subject property.
6. The Project Site is located in the Altadena Zoned District and is currently zoned R-1-10000 (Single-Family Residence – 10,000 Square Feet Minimum Required Lot Area).
7. The Project Site is located within the N-Nonurban land use category of the Altadena Community Plan Land Use Policy Map.
8. Surrounding Zoning within a 500-foot radius includes:
 - North: R-1-10000
 - South: R-1-10000 and City of Pasadena
 - East: R-1-10000
 - West: City of Pasadena

9. Surrounding land uses within a 500-foot radius include:

North: Single-family residences
South: Vacant land and single-family residences
East: Single-family residences
West: Vacant land

10. The Project Site was rezoned in 1950 to R-1-10000 by Ordinance No 5541. Certificate of Compliance No. 201400129 was recorded on the subject property in 2014.

11. The site plan for the Project depicts Canyon Crest to the east of the site with a driveway leading from Canyon Crest to attached two-car garage facing north. Above the garage is a proposed loft space that looks out onto Canyon Crest Road and below the garage is the main residence level containing two bedrooms, two bathrooms, a kitchen, and a living room with a cantilevered deck facing west. There is a lower level below the kitchen and living room where an office is proposed. The residence is proposed to be two stories in height with an additional cellar level. The tallest point of the residence is located in the southwestern corner of the building and is depicted with a height of 34 feet and 10 and one half inches. The project includes 15 cubic yards of cut and 15 cubic yards of fill which will be balanced on the site and all work will be done by hand implements at the recommendation of the arborist (Oak Tree Report dated August 2, 2014).

12. In October of 2015, prior to the Hearing Officer's public hearing on the Project, the applicant presented the project to the Altadena Town Council. The applicant also held an informal question/answer meeting at the project site in 2015 for the surrounding neighbors and provided a website for more information related to the project. The Altadena Town Council also reviewed the project on March 15, 2016 and submitted a letter recommending approval of the project with an added condition requiring that all construction staging and vehicles be maintained on the subject property.

13. The County Department of Public Works ("Public Works") recommends approval of this Project and has recommended conditions of approval, which are included in the Project's conditions. The County Fire Department ("Fire Department") recommends approval of this Project because the Project will provide adequate fire access, water flow, and fire suppression technology. The Forestry Division of the Fire Department also provided a separate list of recommended conditions that will be included as part of the permit.

14. Prior to the Hearing Officer's public hearing on the Project, an Initial Study was prepared for the Project in compliance with the California Environmental Quality Act (Public Resources Code section 21000, et seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County. Based on the Initial Study, staff from Regional Planning determined

that a Negative Declaration was the appropriate environmental document for the Project because the Initial Study concluded that there was no substantial evidence that the Project would result in a significant impact on the environment.

15. Pursuant to the provisions of sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the Project's public hearings by mail, newspaper, and property posting.
16. Staff received comments from the applicant, the arborist that prepared the oak tree report, and thirty members of the public. The public comments included 20 letters identifying concerns with the project, nine letters in favor of the project, and one letter with "little objective reason to oppose the project." Staff also received a letter from the Altadena Town Council which recommends approval of the project with a condition requiring that all staging and construction vehicle parking to be contained on the project site.
17. A duly noticed public hearing was held on April 5, 2016 before the Hearing Officer. Staff responded to the Hearing Officer with clarification that an initial oak tree report was submitted by the applicant's arborist and an additional comment letter was received from a separate third-party arborist at the request of the neighbor to the north of the site. The applicant and architect presented testimony in favor of the project and responded to questions from the Hearing Officer. The applicant confirmed that the staging area for construction would be on-site and does not require additional grading. Five additional members of the public provided testimony and reiterated concerns addressed in letters that were received prior to the hearing related to: inconsistency with the intent of the Altadena Community Standards District, potential significant impacts to the oak woodland, compliance with the California Environmental Quality Act, inconsistency of project design with the surrounding community, and loss of canyon views.

One of the speakers was the third-party consultant, Ms. Rebecca Latta, who had concerns with the oak tree report. She questioned when impacts to an oak tree would constitute a removal rather than an encroachment and mentioned that the project had changed since the arborist report. One of her concerns was related to the impact to the oak trees from re-compaction of soils. The applicant provided a rebuttal and clarified that no condition fill would be used and no compaction is necessary; this is commonly used for slab-on-grade foundations. The Hearing Officer confirmed with staff that some of the public comments were routed through County Counsel to make sure that we are making the correct recommendation for the Initial Study.

The Hearing Officer said that he is familiar with Altadena and recently visited the project site. During his site visit, he noticed that the project is located near other houses. The Hearing Officer expressed appreciation for the efforts and detail given to the design of the project in order to avoid some of the environmental impacts and indicated that the correct assessment has been made by staff related to the height and number of stories of the structure. He also mentioned the neighbors' concerns

related to inconsistencies of the project with the character of the neighborhood, but also acknowledged that the Altadena Town Council submitted a recommendation of approval for the project. The Hearing Officer read the written concerns submitted for the project that included Ms. Latta's comments on the oak tree report. The Hearing Officer continued the public hearing to April 19, 2016 in order to provide additional time for the applicant to meet with interested members of the community and discuss alternative designs as well as to allow for the applicant's arborist to respond to the concerns raised by Ms. Latta.

18. A duly noticed public hearing was held on April 19, 2016 before the Hearing Officer. During the presentation, staff noted that materials were submitted prior to this hearing that included a response by the project arborist that addresses the concerns raised by Ms. Latta. The applicant met with members of the community prior to the hearing and provided responses to the alternative designs that were suggested. The Hearing Officer questioned a discrepancy in the response by the arborist under Item No. 9 on Page 8 of the response where it was quoted that approximately eight percent of the root zone of Oak Tree No. 1 will be encroached upon for the driveway, but then later in the paragraph, that figure is changes to approximately six percent of the root zone. The applicant preferred to allow the arborist to address this discrepancy, but indicated that this was a minor error and that both figures seem relatively small. Then, the Hearing Officer requested information on the how the construction would be monitored. The applicant responded by stating that the arborist would be monitoring the oaks during construction activities. Staff identified recommended conditions of approval from the Forester, included in the draft conditions, which require three inspections by the Forester as well as a requirement to retain an arborist to monitor the trees during impacts to the oak trees as well as for the duration of the permit. Staff also indicated that Regional Planning will conduct one inspection following the removal of the tree. The Hearing Officer asked staff for clarification on whether any part of the project is located in a Significant Ecological Area ("SEA"). Staff responded by stating that there was no SEA on the subject property at the time that the project applications were submitted to the Department of Regional Planning. Subsequently, a conceptual SEA was mapped on the site, but is not located within the project footprint.

The County Biologist, Joe Decruyenaere, responded to questions from the Hearing Officer including clarifying that the project is located in oak woodland, but that the condition of the oak woodland where the project activity is proposed is highly disturbed; the grade has been altered and it's been used as parking for many years. When determining if a project has a potentially significant impact on the oak woodland, the County Biologist looks at deficiencies that are not addressed by conditions of the oak tree permit. The oak tree permit requires replacement of trees that are included for removal as part of the project at a ratio of 2:1 and also requires follow-up monitoring to ensure that the remaining trees survive. If oak trees that are proposed for encroachment do die, they will also be required to be replaced at the 2:1 ratio. Mr. Decruyenaere specified that the draft conditions of approval include these provisions and as such, he determined that those conditions of the permit are sufficient to recover from any losses to trees and woodland values. Based on this

evaluation, it was determined that the overall impact to the oak woodland would be less than significant and no Oak Woodland Management Plan would be required because the standard conditions of the oak tree permit are sufficient.

Seven members of the public provided testimony stating concerns with the project including the loss of open space, inconsistency with the Altadena Community Standards District, the need for an Oak Woodland Management Plan, confusion with the height determination, inconsistency with the character of the community, and inaccurate information provided in the application materials.

The Hearing Officer requested that staff provide clarification on how the height was reviewed for the project. Staff indicated that height is determined by measuring the vertical distance from the grade to the top of the structure. The Hearing Officer also requested that staff clarify how the cellar area was defined and why there were some earlier communications determining that the project was four stories in height. Staff clarified that there was a previous planner assigned to the case who sent a correction letter identifying the proposed structure as having four stories. The applicant provided a rebuttal to this determination, but that assigned planner was no longer working for the department when the rebuttal was received. Current staff reviewed the rebuttal and concurred with the response. The rebuttal is included as an attachment to the staff analysis. The terms "grade" and "cellar" are defined in the rebuttal and the calculations include the total area of the lowest level as well as the area below grade in order to prove that there is more area below grade than above grade for the lowest level of the residence. Therefore, it meets the definition of cellar and the project is in compliance with the development standards.

After the applicant's rebuttal, the Hearing Officer noted that the lot has many constraints, but the applicant designed the project to avoid many environmental impacts and has been responsive to the concerns raised by members of the public. The Hearing Officer determined that the responses by the project arborist have satisfactorily addressed the issues. Furthermore, he stated that the project is well within the confines of the regulations. Lastly, the Hearing Officer stated that the conditions of approval are sufficient in addressing the possible impacts created by the project. The Hearing Officer closed the public hearing, adopted the negative declaration, and approved the minor conditional use permit and oak tree permit.

19. The Hearing Officer finds that the Project is consistent with the goals and policies of the Altadena Community Plan ("Community Plan"), a component of the General Plan, based on the following. The Nonurban land use designation is intended for rural residential uses and therefore, the proposed single-family residence is consistent with the allowed uses of the underlying land use category. The Community Plan contains policies to ensure compatibility of development with the surrounding area. The Community Plan seeks to "promote the provision of an adequate supply of housing by location, type and price" (Land Use, Page I-24). The addition of single-family residence within an existing residential community will be compatible with the surrounding uses and will provide additional housing in the area.

20. The Hearing Officer finds that the Project is consistent with the R-1-10000 zoning classification because single-family residences are listed as a permitted use in the R-1 zone pursuant to section 22.20.070.
21. The proposed single-family residence is compatible with the surrounding uses as it is located in a developed residential community. The residence will function similarly to other residences in the area and will produce similar levels of utility usage and traffic patterns. Therefore, the Hearing Officer finds that the Project will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area.
22. The Hearing Officer finds that the proposed single-family residence will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site. The project has been designed to follow the slope of the terrain and blend in with the canopies of the surrounding oak woodland. The earth-tone color scheme of the building will further disguise the building from the neighboring sites.
23. The Hearing Officer finds that the single-family residence will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare. The subject property is zoned for a residential use and therefore, the impacts of the use have been anticipated. The proposed building will feature current construction techniques for high fire resistance and seismic/slope stability. Furthermore, the project has been reviewed by the Fire Department and the Department of Public Works to ensure consistency with the Fire and Building Codes.
24. In addition to designing the residence to avoid and/or reduce impacts to the existing oak trees on site, the project will comply with all development standards required for properties in the Altadena Community Standards District and the R-1 zone. Less than three percent of the property will be developed with the single-family residence structure. Additionally, two parking spaces will be included as part of this project and most of the existing oak trees will be preserved. Therefore, the Hearing Officer finds that the site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this title, or as is otherwise required in order to integrate said use with the uses in the surrounding area.
25. The Project Site is accessible from Canyon Crest Road, the main access road for the Meadows community to the north, and is zoned for a low-density residential development. Furthermore, Canyon Crest Road intersects Lincoln Avenue, a proposed Class III Bike Path (Master Plan of Bikeways) and an existing Secondary Highway (Master Plan of Highways). As the addition of one new residence is not anticipated to create a significant impact on traffic along Canyon Crest Road, the Hearing Officer finds that the site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate.

26. The applicant has obtained will serve letters from both the Lincoln Avenue Water Company and Pasadena Water and Power. The Department of Public Works will review the proposed connection to the existing sewer line. The proposed extension will be adequately sized to accommodate all future upstream discharge tributary to this sewer. Therefore, the Hearing Officer finds that the site is adequately served by other public or private service facilities as are required.
27. The Hearing Officer finds that the construction of the single-family residence will be accomplished without endangering the health of the remaining trees subject to Part 16 of Chapter 22.56 on the subject property. The County Forester and the consulting arborist provided recommendations to the applicant to protect the remaining oak trees during the time of construction. All work within the protected zones of the oak trees will be done using hand tools only. Equipment, materials and vehicles will not be stored, parked or operated within the protected zone of an oak tree, except on the existing, graded pad that exists on the property. All work conducted within the protected zone of oak trees will be performed in the presence of a qualified oak tree consultant.
28. The Hearing Officer finds that the removal of the oak tree proposed will not result in soil erosion through the diversion or increased flow of surface waters which cannot be satisfactorily mitigated. All oak trees will remain except for Oak Tree No. 6 as identified on the Exhibit "A" site plan and in the Oak Tree Report. The one tree that will be removed is located within the area where the building will be constructed. Furthermore, the Department of Public Works will review and approve the drainage plan for this project.
29. The project site is located in oak woodland. The applicant has explored alternative designs for the project, but they would require the removal of additional oak trees. The Project is designed around the oak trees and the terrain of the site. Therefore, the Hearing Officer finds that the removal of the oak tree proposed is necessary as continued existence at present location frustrates the planned improvement or proposed use of the subject property to the extent that placement of such tree precludes the reasonable and efficient use of such property for a use otherwise authorized.
30. The purpose of the oak tree permit is to recognize oak trees as significant historical, aesthetic and ecological resources, and as one of the most picturesque trees in Los Angeles County and to create favorable conditions for the preservation and propagation of oak trees, particularly heritage oak trees, for the benefit of current and future residents of Los Angeles County. The oak tree that is being removed was identified in the Oak Tree Report as having major asymmetry, leaning south within the drainage area, and being shaded out. The arborist gave the tree a "C" grade for aesthetics and also indicated that it is not a heritage oak tree. As most of the oak trees on the Project Site will be preserved, the Hearing Officer finds that the removal of the oak tree proposed will not be contrary to or be in substantial conflict with the intent and purpose of the oak tree permit procedure.

31. The Hearing Officer finds that pursuant to sections 22.60.174 and 22.60.175 of the County Code, the community was properly notified of the public hearing by mail, newspaper, and property posting. Additionally, the Project was noticed and case materials were available on Regional Planning's website and the Altadena Library. On February 17, 2016, a total of 149 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 1,000-foot radius from the Project Site, as well as five notices to those on the courtesy mailing list for the Altadena Zoned District and to any additional interested parties.
32. The Hearing Officer finds that the permittee is subject to payment of the California Department of Fish and Wildlife fees related to the Project's effect on wildlife resources pursuant to section 711.4 of the California Fish and Game Code.
33. After consideration of the Negative Declaration, together with the comments received during the public review process, the Hearing Officer finds on the basis of the whole record before it that there is no substantial evidence that the Project as conditioned will have a significant effect on the environment, and further finds that the Negative Declaration reflects the independent judgment and analysis of the Hearing Officer.
34. The location of the documents and other materials constituting the record of proceedings upon which the Hearing Officer's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits North Section, Department of Regional Planning.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES THAT:

Regarding the Minor Conditional Use Permit:

- A. The proposed use will be consistent with the adopted general plan for the area.
- B. The requested use at the location proposed will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area.
- C. The requested use at the location proposed will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site.
- D. The requested use at the location proposed will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
- E. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this title, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

- F. The proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate.
- G. The proposed site is adequately served by other public or private service facilities as are required.

Regarding the Oak Tree Permit:

- H. The proposed construction of proposed use will be accomplished without endangering the health of the remaining trees subject to Part 16 of Chapter 22.56, if any, on the subject property.
- I. The removal of the oak tree proposed will not result in soil erosion through the diversion or increased flow of surface waters which cannot be satisfactorily mitigated.
- J. The removal of the oak tree proposed is necessary as continued existence at present location frustrates the planned improvement or proposed use of the subject property to the extent that placement of such tree precludes the reasonable and efficient use of such property for a use otherwise authorized.
- K. The removal of the oak tree proposed will not be contrary to or be in substantial conflict with the intent and purpose of the oak tree permit procedure.

THEREFORE, THE HEARING OFFICER:

1. Certifies that the Negative Declaration for the Project was completed in compliance with CEQA and the State and County Guidelines related thereto; certifies that it independently reviewed and considered the Negative Declaration and that the Negative Declaration reflects the independent judgment and analysis of the Hearing Officer as to the environmental consequences of the Project; determined that on the basis of the whole record before the Hearing Officer that there is no substantial evidence that the Project will have a significant effect on the environment; and adopts the Negative Declaration; and
2. Approves Minor Conditional Use Permit No. 201400014 and Oak Tree Permit No. 201400035, subject to the attached conditions.

ACTION DATE: April 19, 2016

MM:KK
4/19/16

c: Hearing Officer, Zoning Enforcement, Building and Safety

**CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NO. R2014-02411-(5)
MINOR CONDITIONAL USE PERMIT NO. 201400014
OAK TREE PERMIT NO. 201400035**

PROJECT DESCRIPTION

The project is for the construction of a new single-family residence on a hillside property in the Altadena Community Standards District and includes encroachments into the protected zone of nine oak trees and one oak tree removal subject to the following conditions of approval:

GENERAL CONDITIONS

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 7 and until all required monies have been paid pursuant to Condition No. 9. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, and 8 shall be effective immediately upon the date of final approval of this grant by the County.
3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.
4. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense. If the County fails to promptly notify the permittee of any claim, action, or proceeding, or if the County fails to cooperate reasonably in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing make an initial deposit with Regional Planning in the amount of up to \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense,

including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

6. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
7. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall **record the terms and conditions** of the grant in the office of the County Registrar-Recorder/County Clerk ("Recorder"). In addition, upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
8. This grant shall expire unless used within two (2) years from the date of final approval of the grant. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.
9. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file. The permittee shall deposit with the County the sum of **\$200.00**. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for **one** inspection. The required inspection shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount

charged for additional inspections shall be \$200.00 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

10. Within five (5) working days from the day after your appeal period ends **April 26, 2016**, the permittee shall remit processing fees at the County Registrar-Recorder/County Clerk Office, payable to the County of Los Angeles, in connection with the filing and posting of a Notice of Determination (NOD) for this project and its entitlements in compliance with Section 21152 of the Public Resources Code. Unless a Certificate of Exemption is issued by the California Department of Fish and Wildlife pursuant to Section 711.4 of the California Fish and Game Code, the permittee shall pay the fees in effect at the time of the filing of the NOD, as provided for in Section 711.4 of the Fish and Game Code, currently **\$2,285.25** (\$2,210.25 for a Negative Declaration or Mitigated Negative Declaration plus \$75.00 processing fee). No land use project subject to this requirement is final, vested or operative until the fee is paid.
11. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.
12. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of said department.
13. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.
14. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Regional Planning ("Director").
15. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
16. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal

decorations or signage provided under the auspices of a civic or non-profit organization.

In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

17. The subject property shall be developed and maintained in substantial conformance with the plans marked Exhibit "A." If changes to any of the plans marked Exhibit "A" are required as a result of instruction given at the public hearing, **three (3) copies** of a modified Exhibit "A" shall be submitted to Regional Planning by **June 5, 2016**.
18. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit **three (3) copies** of the proposed plans to the Director for review and approval. All revised plans must substantially conform to the originally approved Exhibit "A". All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.

PERMIT SPECIFIC CONDITIONS – OAK TREE PERMIT

19. The permittee shall comply with all conditions and requirements contained in the County of Los Angeles Forester and Fire Warden, Forestry Division, letter dated December 3, 2014 (attached hereto), to the satisfaction of said Division, except as otherwise required by the Forestry Division.
 - a. The permittee shall provide mitigation trees of the Oak genus at a rate of two to one (2:1) for each tree removed.
20. The permittee shall plant one healthy acorn of the same species of oak (*Quercus* sp.) as the tree removed for each mitigation tree planted. The acorns shall be planted at the same time as and within the watering zone of each mitigation tree.
21. All replacement trees shall be planted on native undisturbed soil and shall be the same species of oak (*Quercus* sp.) as the removed tree. The location of the replacement tree shall be in the vicinity of other oak trees of the same species. A layer of humus and litter from beneath the canopy of the removed tree shall also be applied to the area beneath the canopies of the replacement trees to further promote the establishment of mycorrhizae within their rooting zones.
22. When replacement trees are planted on disturbed soil or are not in the vicinity of the same species of oak (*Quercus* sp.) as the removed tree, planting shall incorporate a mycorrhizal product, either as amendment or in the first two irrigations or watering of planted trees (i.e. "mycorrhizaROOTS" or similar product) in accordance with the label's directions. A layer of humus and litter from beneath the canopy of the removed tree shall also be applied to the area beneath the

canopies of the replacement trees to further promote the establishment of mycorrhizae within their rooting zones.

PROJECT SITE SPECIFIC CONDITIONS

23. This grant shall authorize the construction of a single-family residence in a hillside area within the Altadena Community Standards District. This grant also authorizes the removal of Oak Tree No. 6 and encroachments into the protected zone of Oak Tree Nos. 1-5 and 7-10 as identified on the Exhibit "A" and described in the Oak Tree Report dated August 2, 2014 and prepared by Land Design Consultants, Inc.
24. The trunk of Oak Tree No. 6, as identified on the Exhibit "A," shall not be removed.
25. The oak trees should be reviewed by a licensed and certified arborist for detrimental changes in health or structure once every six months for three years. A brief summary report containing photo documentation should be prepared by the arborist following the site visit and shall be submitted to the County of Los Angeles Forester and Fire Warden, Forestry Division ("County Forester") within 10 days after each visit. The summary reports shall be made available to Regional Planning staff by request. Additional summary reports may be required at the discretion of the Department of Regional Planning or the County Forester.
26. The roof of the residence shall not be made of reflective, glossy, polished and/or roll-formed type metal roofing.
27. The exterior siding of the residence shall not be made of reflective, glossy, polished and/or roll-formed type metal siding.
28. All construction equipment parking and staging areas shall be located on the subject property.
29. The permittee shall comply with all conditions set forth in the attached County Public Works Department letter dated August 12, 2015.
30. The permittee shall comply with all conditions set forth in the attached County Fire Department letter dated February 3, 2015.
31. The permittee shall comply with all conditions set forth in the attached County Forester letter dated December 3, 2014.

Attachments:

Public Works Department Letter dated August 12, 2015
Fire Department Letter dated February 3, 2015
Forester Letter dated December 3, 2014
Oak Trees: Care and Maintenance Guide



COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

GAIL FARBER, Director

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

August 12, 2015

IN REPLY PLEASE

REFER TO FILE

LD-2

TO: Maria Masis
Zoning Permits East Area
Department of Regional Planning

Attention Jeantine Nazar

FROM: Art Vander Vis
Land Development Division
Department of Public Works

MINOR CONDITIONAL USE PERMIT (MCUP) NO. 201400014
PROJECT NO. R2014-02411
ASSESSOR'S MAP BOOK NO. 5830, PAGE 3, PARCEL NO. 16
ALTADENA

- ☒ Public Works recommends approval of this MCUP.
- ☐ Public Works does **NOT** recommend approval of this MCUP.

The proposed project is to allow the construction of a new 2-story, single-family residence with an attached garage on an existing vacant lot within the Altadena Community Standards District (CSD). The Altadena CSD requires obtaining a MCUP for any development within a hillside management area as provided in Section 22.44.127.C.2.b. The project location contains areas with natural slopes of 25 percent or more, and therefore, it is considered to be in a hillside management area; consequently, it is required to obtain a MCUP per the section provided above. Part of the project also requires encroachment within the protected zone of nine oak trees and removal of one oak tree. The proposed grading for this project includes 15 cubic yards of cut and 15 cubic yards of fill, to be balanced on-site.

Upon approval of the MCUP, we recommend the following conditions:

1. Road

- 1.1 Permission is granted to waive the 10 feet of additional road right-of-way dedication on Canyon Crest Road since the existing topography constraints and development patterns along Canyon Crest Road would prevent any future road widening.

- 1.2 Execute a drainage covenant for the maintenance of any parkway drains/curb drains that are installed as part of the project.

For questions regarding the road conditions, please contact Teni Mardirosian of Public Works' Land Development Division at (626) 458-4910 or tmardirosian@dpw.lacounty.gov.

2. Drainage/Grading

- 2.1 Submit a hydrology/Low-Impact Development (LID) study to Public Works' Building and Safety Division, San Gabriel Valley District office, for review and approval prior to issuance of any grading permits. The study shall show the extent of drainage impacts including contributory drainage from adjoining properties. LID standards can be found in the LID Standard Manual at <http://dpw.lacounty.gov/ldd/web/>.
- 2.2 Submit a grading and drainage plan for review and approval that complies with an approved hydrology/LID study. The grading plans must show and call out the construction of all drainage devices and details, paved driveways, elevation and drainage of all pads, and the water quality devices, as applicable. The applicant is required to show and call out all existing and proposed easements on the grading plan and obtain the easement holder approvals.
- 2.3 Dedicate a 10-foot easement for the existing on-site sewer siphon to the satisfaction of Public Works. A processing fee will be required.
- 2.4 Obtain soil/geology approval of the grading plan by Public Works' Geotechnical and Materials Engineering Division.
- 2.5 Execute an agreement that addresses the maintenance of any privately maintained drainage devices that are constructed on-site.

For questions regarding the grading conditions, please contact Ms. Mardirosian at (626) 458-4910 or tmardirosian@dpw.lacounty.gov.

3. Sewer

- 3.1 Extend the public sewer mainline to provide sewer service for the proposed single-family house. A Sewer Area Study will be required to adequately size the proposed extension. The proposed pipe will need to accommodate future upstream discharges.

For questions regarding the sewer condition, please contact Massoud Esfahani of Land Development Division at (626) 458-4921 or mesfahan@dpw.lacounty.gov.

4. Water

- 4.1 Comply with all requirements stipulated by the local water purveyor. The attached Will Serve letter issued by Pasadena Water and Power will expire on June 5, 2016. It shall be the sole responsibility of the applicant to renew the aforementioned Will Serve letter upon expiration and abide by all requirements of the water purveyor.

For questions regarding the water condition, please contact Tony Khalkhali of Land Development Division at (626) 458-4921 or tkhalkh@dpw.lacounty.gov.

5. Building and Safety

- 5.1 Submit building and grading plans to Public Works' Building and Safety Division San Gabriel Valley District office, for review and approval. The project shall also be designed based on seismic design provisions for hillside buildings found in Los Angeles County Code Title 26 when constructed on or into slopes steeper than 33 percent.

For questions regarding building and safety condition, please contact Clint Lee of Building and Safety Division at (626) 458-3154 or cleee@dpw.lacounty.gov.

If you have any other questions or require additional information, please contact Ms. Mardirosian at (626) 458-4910 or tmardirosian@dpw.lacounty.gov.

TM:tb

F:\Users\SUBPO\Documents\UP\TIP 2014\2014 APN 5870-0010\TIP 2014_0010\2015 07 15 TCU 2014\2014 SUBMIT T\TIP 2014-0014-0001



PASADENA WATER AND POWER

June 5, 2015

Mr. Stephen Kuhn
4381 Canyon Crest Rd
Altadena, CA 91001

Subject: Will Serve Letter for Assessor Parcel Number 5830-003-016 located in Canyon Crest Rd, Altadena, CA 91001

Dear Mr. Kuhn:

Pasadena Water and Power (PWP) can serve water to parcel 5830-003-016 located in Canyon Crest Rd, Altadena, California 91001. The parcel is currently outside PWP's service area, but may be served from an 8-inch cast iron water main in Canyon Crest Rd that was installed under work order 4235 in 1948. The end of this water main is located approximately 34 feet north of fire hydrant 207-2. To serve the property, this water main will need to be extended.

Fire hydrant 207-2 is located approximately 10 feet north of the north end of Florecita Drive at Canyon Crest Road. There is no current fire flow information for this fire hydrant. The water pressure at this site is 36 psi.

If you have any questions or need additional information, please call Linette Vasquez, Senior Utility Service Planner, at (626)744-7064.

Sincerely,

Richard Thompson
Utility Services Planning Supervisor
Pasadena Water and Power



**COUNTY OF LOS ANGELES FIRE DEPARTMENT
FIRE PREVENTION DIVISION**

Land Development Unit
5823 Rickenbacker Road
Commerce, CA 90040
Telephone (323) 890-4243, Fax (323) 890-9783

PROJECT: R2014-02411

MAP DATE: November 20, 2014

LOCATION: APN: 5830-003-016, South of 3589 Canyon Crest Road, Altadena

REVISED CONDITIONS – Supersedes Fire Dept. Comments Dated 12/03/14

THE FIRE DEPARTMENT RECOMMENDS CLEARANCE OF THIS PROJECT TO PROCEED TO PUBLIC HEARING AS PRESENTLY SUBMITTED WITH THE FOLLOWING CONDITIONS OF APPROVAL.

CONDITIONS OF APPROVAL – ACCESS

1. Fire Department vehicular access roads must be installed and maintained in a serviceable manner prior to and during the time of construction. Fire Code 501.4
2. All fire lanes shall be clear of all encroachments, and shall be maintained in accordance with the Title 32, County of Los Angeles Fire Code.
3. The Fire Apparatus Access Roads and designated fire lanes shall be measured from flow line to flow line.
4. Provide a minimum unobstructed width of 20 feet, exclusive of shoulders and an unobstructed vertical clearance "clear to sky" Fire Department vehicular access to within 150 feet of all portions of the exterior walls of the first story of the building, as measured by an approved route around the exterior of the building. Fire Code 503.1.1 & 503.2.1
 - Exception: A minimum vertical clearance of 13 feet 6 inches may be allowed for protected tree species adjacent to access roads.
5. The dimensions of the approved Fire Apparatus Access Roads shall be maintained as originally approved by the fire code official. Fire Code 503.2.2.1
6. A minimum 5 foot wide approved firefighter access walkway leading from the fire department access road to all required openings in the building's exterior walls shall be provided for firefighting and rescue purposes. Fire Code 504.1



COUNTY OF LOS ANGELES FIRE DEPARTMENT FIRE PREVENTION DIVISION

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LOCATION: APN: 5830-003-016, South of 3589 Canyon Crest Road, Altadena

7. Approved building address numbers, building numbers or approved building identification shall be provided and maintained so as to be plainly visible and legible from the street fronting the property. The numbers shall contrast with their background, be Arabic numerals or alphabet letters, and be a minimum of 4 inches high with a minimum stroke width of 0.5 inch. Fire Code 505.1

CONDITIONS OF APPROVAL – WATER STSTEM

1. All fire hydrants shall measure 6"x 4"x 2-1/2" brass or bronze, conforming to current AWWA standard C503 or approved equal, and shall be installed in accordance with the County of Los Angeles Fire Department Regulation 8.
2. All required PUBLIC fire hydrants shall be installed, tested and accepted prior to beginning construction. Fire Code 501.4
3. The required fire for the public fire hydrants for single family residential homes less than a total square footage of 3600 feet is 1250 gpm at 20 psi residual pressure for 2 hours with one public fire hydrant flowing. Any single family residential home 3601 square feet or greater shall comply too Table B105.1 of the Fire Code in Appendix B.
 - The fire flow is adequate per the fire flow test by Pasadena Water & Power dated 12/09/14.

CONDITIONS OF APPROVAL – FUEL MODIFICATION:

1. This property is located within the area described by the Fire Department as the Very High Fire Hazard Severity Zone. A "Preliminary Fuel Modification Plan" shall be submitted and approved prior to public hearing. For details, please contact the Department's Fuel Modification Unit which is located at Fire Station 32, 605 North Angeleno Avenue in the City of Azusa CA 91702-2904. They may be reached at (626) 969-5205.



**COUNTY OF LOS ANGELES FIRE DEPARTMENT
FIRE PREVENTION DIVISION**

Land Development Unit
5823 Rickenbacker Road
Commerce, CA 90040
Telephone (323) 890-4243, Fax (323) 890-9783

PROJECT: R2014-02411

MAP DATE: November 20, 2014

LOCATION: APN: 5830-003-016, South of 3589 Canyon Crest Road, Altadena

- The Preliminary Fuel Modification Plan has been approved by the Fuel Modification Unit on 12/29/14.

For any questions regarding the report, please contact FPEA Wally Collins at (323) 890-4243 or at Wally.Collins@fire.lacounty.gov.



COUNTY OF LOS ANGELES

FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294
(323) 890-4330

DARYL L. OSBY
FIRE CHIEF
FORESTER & FIRE WARDEN

December 3, 2014

Jeantine Nazar, Principal Regional Planner
Department of Regional Planning
Zoning Permits Section
320 West Temple Street
Los Angeles, CA 90012

Dear Ms. Nazar:

OAK TREE PERMIT NUMBER 2014-00035
PROJECT NUMBER R2014-02411
4381 CANYON CREST ROAD, ALTADENA

We have reviewed the "Request for Oak Tree Permit #2014-00035." The project is located at 4381 Canyon Crest Road in the unincorporated area of Altadena. The Oak Tree Report is accurate and complete as to the location, size, condition and species of the Oak trees on the site. The term "Oak Tree Report" refers to the document on file by Land Design Consultants, the consulting arborist, dated August 2, 2014.

We recommend the following as conditions of approval:

OAK TREE PERMIT REQUIREMENTS:

1. This grant shall not be effective until the permittee and the owner of the property involved (if other than the permittee), have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of and agree to accept all conditions of this grant. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation or other entity making use of this grant.
2. The permittee shall, prior to commencement of the use authorized by this grant, deposit with the County of Los Angeles Fire Department a sum of \$300. Such fees shall be used to

SERVING THE UNINCORPORATED AREAS OF LOS ANGELES COUNTY AND THE CITIES OF:

AGOURA HILLS
ARTESIA
AZUSA
BALDWIN PARK
BELL
BELL GARDENS
BELLFLOWER
BRADBURY

CALABASAS
CARSON
CERRITOS
CLAREMONT
COMMERCE
COVINA
CUDAHY

DIAMOND BAR
DUARTE
EL MONTE
GARDENA
GLENDALE
HAWAIIAN GARDENS
HAWTHORNE

HIDDEN HILLS
HUNTINGTON PARK
INDUSTRY
INGLEWOOD
IRVINDALE
LA CANADA FLINTRIDGE
LA HABRA

LA MIRADA
LA PUENTE
LAKEWOOD
LANCASTER
LAWDALE
LOMITA
LYNWOOD

MALIBU
MAYWOOD
NORWALK
PALMDALE
PALOS VERDES ESTATES
PARAMOUNT
PICO RIVERA

POMONA
RANCHO PALOS VERDES
ROLLING HILLS
ROLLING HILLS ESTATES
ROSEMEAD
SAN DIMAS
SANTA CLARITA

SIGNAL HILL
SOUTH EL MONTE
SOUTH GATE
TEMPLE CITY
WALNUT
WEST HOLLYWOOD
WESTLAKE VILLAGE
WHITTIER

compensate the County Forester \$100 per inspection to cover expenses incurred while inspecting the project to determine the permittee's compliance with the conditions of approval. The above fees provide for one (1) initial inspection prior to the commencement of construction and two (2) subsequent inspections until the conditions of approval have been met. The Director of Regional Planning and the County Forester shall retain the right to make regular and unannounced site inspections.

3. Before commencing work authorized or required by this grant, the consulting arborist shall submit a letter to the Director of Regional Planning and the County of Los Angeles Fire Department, Forestry Division, stating that he or she has been retained by the permittee to perform or supervise the work, and that he or she agrees to report to the Director of Regional Planning and the County Forester, any failure to fully comply with the conditions of the grant. The arborist shall also submit a written report on permit compliance upon completion of the work required by this grant. The report shall include a diagram showing the exact number and location of all mitigation trees planted as well as planting dates.
4. The permittee shall arrange for the consulting arborist or a similarly qualified person to maintain all remaining Oak trees on the subject property that are within the zone of impact, as determined by the County Forester for the life of the Oak Tree Permit or the Conditional Use Permit.
5. The permittee shall install temporary chain-link fencing, not less than four (4) feet in height, to secure the protected zone of all remaining Oak trees on site, as necessary. The fencing shall be installed prior to grading or tree removal, and shall not be removed without approval of the County Forester. The term "protected zone" refers to the area extending five (5) feet beyond the drip line of the Oak tree (before pruning), or fifteen (15) feet from the trunk, whichever is greater.
6. Copies of the Oak Tree Report, Oak tree map, mitigation planting plan and conditions of approval, shall be kept on the project site and available for review. All individuals associated with the project as it relates to the Oak resource shall be familiar with the Oak Tree Report, Oak tree map, mitigation planting plan and conditions of approval.

PERMITTED OAK TREE REMOVAL AND ENCROACHMENT:

7. This grant allows the removal of one (1) of the Oak genus (*Quercus agrifolia*) identified as Tree Number 6 on the applicant's site plan and Oak Tree Report. This grant includes encroachment within the protected zone of eight (8) trees of the Oak genus identified as 1, 2, 3, 4, 5, 7, 8, & 9 on the applicant's site plan and Oak Tree Report. Trenching, excavation, or clearance of vegetation within the protected zone of an Oak tree shall be accomplished by the use of hand tools or small hand-held power tools. Any major roots encountered shall be treated as recommended by the consulting arborist.
8. In addition to the work expressly allowed by this permit, remedial pruning intended to ensure the continued health of a protected Oak tree or to improve its appearance or structure may be performed. Such pruning shall include the removal of deadwood and

stubs and medium pruning of branches two-inches in diameter or less in accordance with the guidelines published by the National Arborist Association. Copies of these guidelines are available from the County of Los Angeles Fire Department, Forestry Division. In no case shall more than 20% of the tree canopy of any one tree be removed.

9. Except as otherwise expressly authorized by this grant, the remaining Oak trees shall be maintained in accordance with the principles set forth in the publication, "Oak Trees: Care and Maintenance," prepared by the County of Los Angeles Fire Department, Forestry Division. A copy of the publication is enclosed with these conditions.

MITIGATION TREES:

10. The permittee shall provide mitigation trees of the Oak genus at a rate of two to one (2:1) for each tree removed for a total of two (2) mitigation trees. The permittee shall provide mitigation trees of the Oak genus at a rate of two to one (2:1) for any tree specified above that dies as a result of the approved encroachments.
11. Each mitigation tree shall be at least a 15-gallon specimen in size and measure one (1) inch or more in diameter one (1) foot above the base. Free form trees with multiple stems are permissible provided the combined diameter of the two (2) largest stems of such trees measure a minimum of one (1) inch in diameter one (1) foot above the base.
12. Mitigation trees shall consist of indigenous varieties of Quercus agrifolia, grown from a local seed source.
13. Mitigation trees shall be planted within one (1) year of the permitted Oak tree removals. Mitigation trees shall be planted either on site or at an off-site location approved by the County Forester. Alternatively, a contribution to the County of Los Angeles Oak Forest Special Fund may be made in the amount equivalent to the Oak resource loss. The contribution shall be calculated by the consulting arborist and approved by the County Forester according to the most current edition of the International Society of Arboriculture's "Guide for Plant Appraisal."
14. The permittee shall properly maintain each mitigation tree and shall replace any tree failing to survive due to a lack of proper care and maintenance with a tree meeting the specifications set forth above. The two-year maintenance period will begin upon receipt of a letter from the permittee or consulting arborist to the Director of Regional Planning and the County Forester, indicating that the mitigation trees have been planted. The maintenance period of the trees failing to survive two (2) years will start anew with the new replacement trees. Subsequently, additional monitoring fees shall be required.
15. All mitigation Oak trees planted as a condition of this permit shall be protected in perpetuity by the Los Angeles County Oak Tree Ordinance once they have survived the required maintenance period.

NON-PERMITTED ACTIONS AND VIOLATIONS:

16. Encroachment within the protected zone of any additional tree of the Oak genus on the project site is prohibited.
17. Should encroachment within the protected zone of any additional tree of the Oak genus on the project site not permitted by this grant result in its injury or death within two (2) years, the permittee shall be required to make a contribution to the Los Angeles County Oak Forest Special Fund in the amount equivalent to the Oak resource damage/loss. Said contribution shall be calculated by the consulting arborist and approved by the County Forester according to the most current edition of the International Society of Arboriculture's "Guide for Plant Appraisal."
18. No planting or irrigation system shall be installed within the drip line of any Oak tree that will be retained.
19. Utility trenches shall not be routed within the protected zone of an Oak tree unless the serving utility requires such locations.
20. Equipment, materials and vehicles shall not be stored, parked, or operated within the protected zone of any Oak tree. No temporary structures shall be placed within the protected zone of any Oak tree.
21. Violations of the conditions of this grant shall result in immediate work stoppage or in a notice of correction depending on the nature of the violation. A time frame within which deficiencies must be corrected will be indicated on the notice of correction.
22. Should any future inspection disclose that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be held financially responsible and shall reimburse the County of Los Angeles Fire Department, Forestry Division, for all enforcement efforts necessary to bring the subject property into compliance.

To schedule an inspection with a County Forester, please contact the Environmental Review Unit at (818) 890-5719.

If you have any additional questions, please contact this office at (818) 890-5758.

Very truly yours,


J. LOPEZ, ASSISTANT CHIEF, FORESTRY DIVISION
PREVENTION SERVICES BUREAU

Jl:jl

Enclosure



OAK TREES: Care and Maintenance

This Oak Tree Care and Maintenance Guide offers basic information and practical guidelines aimed at the preservation and continued health and survival of oak trees in the residential landscape.

Increasing pressure for development is changing the oak woodland of Los Angeles County. Heritage oaks which once survived in open rolling hills are now being preserved or replanted and incorporated into the community.

How do we protect these trees during the planning and development process, and ensure their survival once they are in the home garden?

The Oak Tree

Oak Trees in the residential landscape often suffer decline and early death due to conditions that are easily preventable. Damage can often take years to become evident, and by the time the trees show obvious signs of disease it is usually too late to help.

Improper watering, especially during the hot summer months, and disturbance to critical root areas are most often the causes. This booklet will provide guidelines on where these critical areas lie and ways to avoid disturbing them, as well as information on long-term care and maintenance of both natural and planted oaks. Lists of additional resources for more information and demonstration areas to visit are also included.

The Oak Tree Ordinance

The Los Angeles County Oak Tree Ordinance has been established to recognize oak trees as significant historical, aesthetic, and ecological resources. The goal of the ordinance is to create favorable conditions for the preservation and propagation of this unique and threatened plant heritage. By making this part of the development process, healthy oak trees will be preserved and maintained.

The Los Angeles County Oak Tree Ordinance applies to all unincorporated areas of the County. Individual cities may have their own ordinances, and their requirements may be different.

Permit Requirements:

Under the Los Angeles County Ordinance, a person shall not cut, destroy, remove, relocate, inflict damage, or encroach into the *protected zone* (see text) of any ordinance sized tree of the oak tree genus without first obtaining a permit.

Damage includes but is not limited to :

- Burning
- Application of toxic substances
- Pruning or cutting
- Trenching
- Excavating
- Paving
- Operation of machinery or equipment
- Changing the natural grade

Chapter 22.56.2050: Oak Tree Permit Regulations, Los Angeles County, Adopted: August 20, 1982. Amended: September 13, 1988.

For more information about the County Oak Tree Ordinance, visit the Forestry Division's website at:

http://lacofd.org/Forestry_folder/otordin.htm

Or contact:

Department of Regional Planning
320 W. Temple Street, 13th floor
Los Angeles, CA 90012-3284
(213) 974-6411
TDD: (213) 617-2292
<http://planning.co.la.ca.us>

Types of oaks commonly found in Los Angeles County:

Many kinds of oak trees are native to Los Angeles County. A few of the more common ones are shown below, but *all* oak trees are covered by the Oak Tree Ordinance.

Older oaks which have thrived under the natural rainfall patterns of dry summers and wet winters often can't handle the extra water of a garden setting. These trees must be treated with special care if they are to survive.

Those oaks that have been planted into the landscape or sprouted naturally tend to be more tolerant of watered landscapes. These vigorous young trees may grow 1½ to 4 feet a year in height under good conditions. Once established these trees would benefit from the same special care outlined in this guide.



Valley Oak
QUERCUS LOBATA

LARGE DECIDUOUS TREE 60'-75' HIGH, BROADLY SPREADING 50'-80' WIDE.

LEAVES: DEEP GREEN, 5"-4" LONG: PAPER-LIKE TEXTURE WITH DEEP ROUNDED LOBES ON THE LEAF EDGE.

TENDS TO FAVOR VALLEY BOTTOMS: FOR THIS REASON THE VALLEY OAK HAS DISAPPEARED FROM THE LANDSCAPE MORE RAPIDLY, IMPACTED SEVERELY BY AGRICULTURE AND URBAN DEVELOPMENT.



Coast Live Oak
QUERCUS AGRIFOLIA

LARGE EVERGREEN TREE WITH A BROAD, ROUND SHAPE AND LARGE LIMBS. 30'-70' HIGH, 35'-80' WIDE.

LEAVES: GLOSSY GREEN, 1"-3" LONG: SPINY, ROUNDED, AND HOLLY-LIKE BUT DISTINCTLY CUPPED OR CURLED UNDER AT THE EDGES.



Interior Live Oak
QUERCUS WISLIZENII

EVERGREEN TREE 30'-75' HIGH OR A SHRUB 6'-10' HIGH IN CHAPARRAL AREAS. HAS A FULL, DENSE ROUNDED SHAPE, NOT BROAD OR WITH LARGE LIMBS LIKE A COAST LIVE OAK. THEY TEND TO GROW IN CLUMPS RATHER THAN AS A SINGLE TREE.

LEAVES: DARK GREEN, 1"-4" LONG. EDGES EITHER SMOOTH OR SPINY, BUT ALWAYS FLAT— NOT CURLED UNDER.

OTHER COMMON OAKS :

CALIFORNIA BLACK OAK : **QUERCUS KELLOGGII**
CANYON LIVE OAK : **QUERCUS CHRYSOLEPIS**
ENGELMANN OAK : **QUERCUS ENGELMANNII**

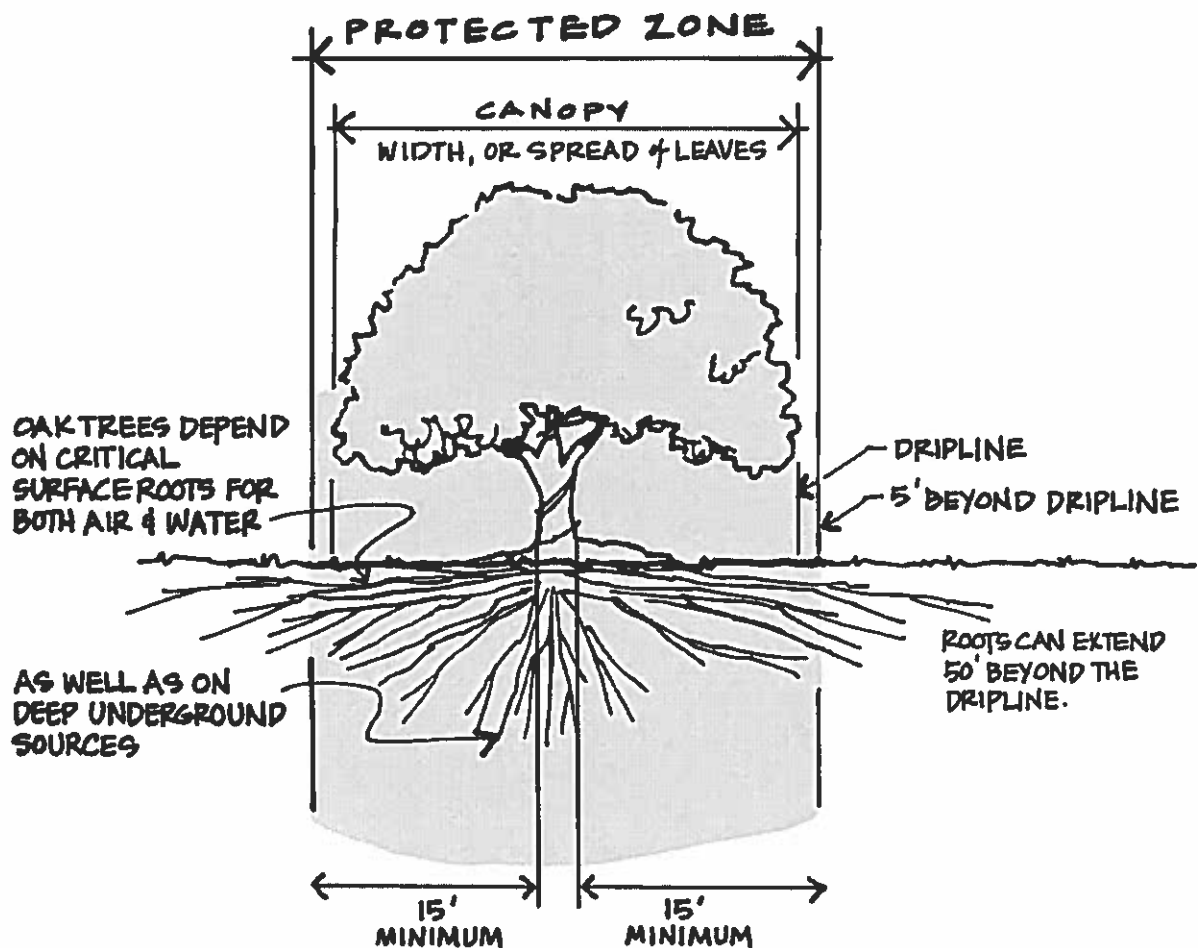
THE PROTECTED ZONE

The **protected zone** defines the area most critical to the health and continued survival of an oak tree. Oaks are easily damaged and very sensitive to disturbances that occur to the tree or in the surrounding environment.

The root system is extensive but surprisingly shallow, sometimes radiating out as much as 50 feet beyond the spread of the tree leaves, or canopy. The ground area at the outside edge of the canopy, referred to as the **dripline**, is especially important: the tree obtains most of its surface water and nutrients here, and conducts an important exchange of air and other gases.

The protected zone is defined in the Oak Tree Ordinance as follows:

"The Protected Zone shall mean that area within the dripline of an oak tree and extending there from to a point at least 5 feet outside the dripline or 15 feet from the trunk, whichever distance is greater."



CONSTRUCTION ACTIVITY WITHIN THE PROTECTED ZONE

Changes in Grade

Any change in the level of soil around an oak tree can have a negative impact. The most critical area lies within 6' to 10' of the trunk: no soil should be added or scraped away. Water should drain away from this area and not be allowed to pond so that soil remains wet at the base.

Retaining walls designed to hold back soil above or below an existing tree should be avoided if at all possible, especially within the protected zone. These types of structures cause critical areas at the dripline to be buried, or require that major roots be severed. Water trapped at the base of the tree could lead to root rot or other impacts, and to the decline and premature death of a highly valued landscape tree.

Construction activities outside the protected zone can have damaging impacts on existing trees. Underground water sources can be cut off due to falling water tables, or drainage may be disrupted.

Trenching

Digging of trenches in the root zone should be avoided. Roots may be cut or severely damaged, and the tree can be killed.

If trenches must be placed within the protected zone, utilities can be placed in a conduit, which has been bored through the soil, reducing damage to the roots. Insist that as many utilities as allowed be placed in a single trench, instead of the common practice of digging a separate trench for each individual line.

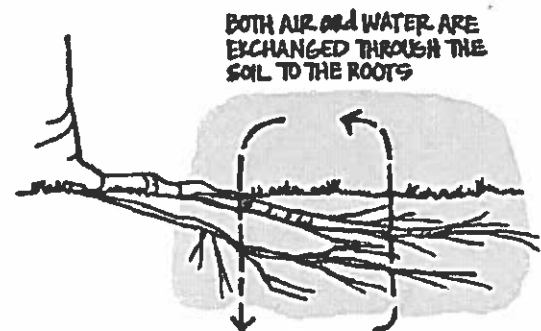
Trenching can also be accomplished using hand tools or small hand held power equipment to avoid cutting roots. Any roots exposed during this work should be covered with wet burlap and kept moist until the soil can be replaced.

Soil Compaction and Paving

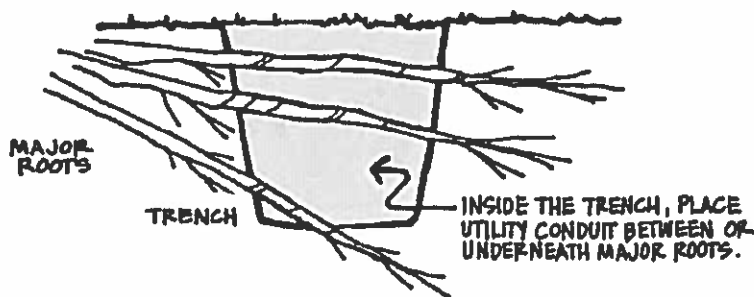
The roots depend upon an important exchange of both water and air through the soil within the protected zone. Any kind of activity that compacts the soil in this area blocks this exchange and can have serious long-term negative effects on the tree.

If paving material must be used, some recommended surfaces include brick paving with sand joints, or ground coverings such as wood chips (note the advantages of natural materials for providing nutrients under mulching).

SOIL COMPACTION



TRENCHING



MAINTENANCE

Watering

The key is prevention – **do not over water**. Improper watering is often overlooked as the cause of tree death because it can take years for the damage to show. Once the tree shows obvious signs of decline, it is often too late to correct the problem.

The seasonal weather pattern for this region is one of dry summers and winter rain. Oak trees are naturally drought tolerant and adapted to this cycle. If the tree is vigorous and thriving it should not require any additional water.

If the natural source of surface or underground water has been altered, some supplemental water may be necessary, but proceed with caution. The goal of any watering schedule for oak trees should be to supplement natural rainfall and it should occur only when the tree would normally receive moisture. This might be in the winter, if rains are unusually late, or in spring if rainfall has been below normal levels.

Over watering, especially during the summer months, causes a number of problems which can lead to decline and eventual death of the tree. It creates ideal conditions for attacks of Oak Root Fungus by allowing the fungus to breed all year. In addition, both evergreen and deciduous oaks grow vigorously in the spring and naturally go dormant in the summer. Extra water only encourages new tip growth which is subject to mildew. Oaks need this period of rest.

Newly planted oaks may need supplemental watering during their first few summers. After they become established water should be applied according to the previous guidelines.

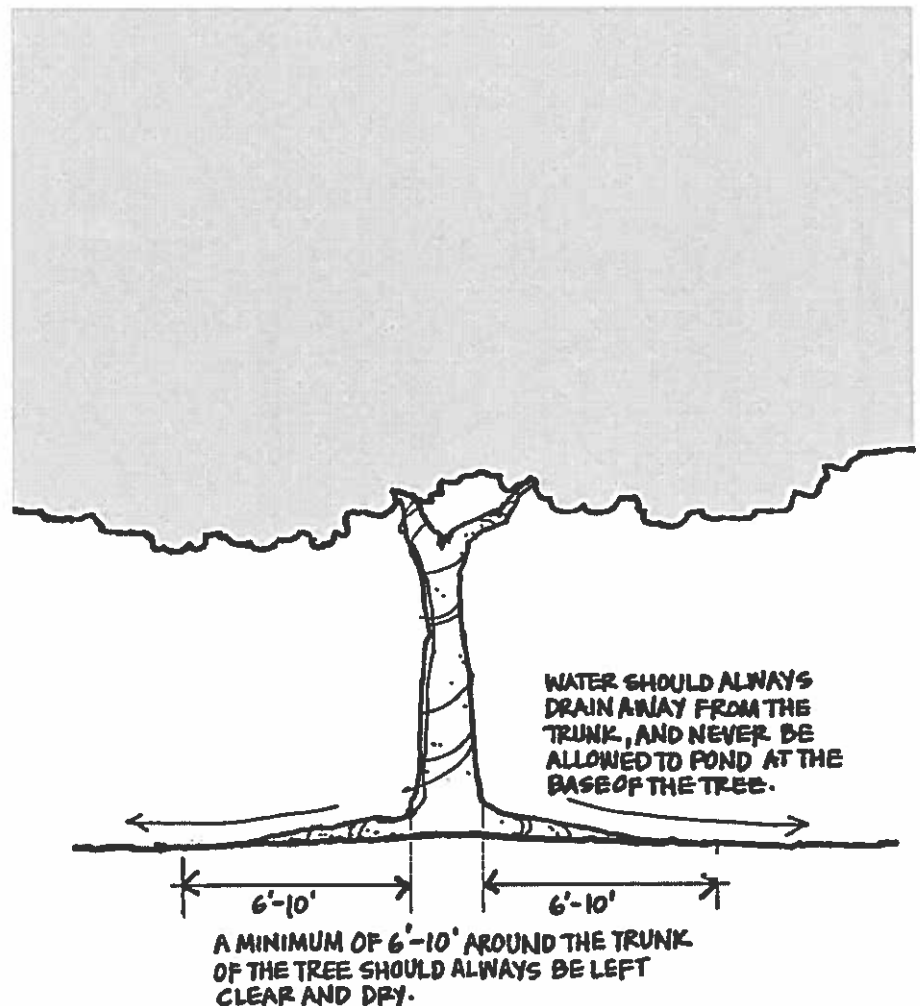
Pruning

For oak trees the periodic removal of dead wood during periods of tree dormancy should be the only pruning needed. Any cutting of green wood opens scars that could allow the entry of organisms or disease.

Before pruning obtain the advice of a certified arborist or other professional and consult the local city or county where the tree is located to find out what regulations apply. Pruning of both live and dead wood can sometimes require a permit.

Mulching

Leaf litter from the tree is the best mulch and should be allowed to remain on the ground within the protected zone. Crushed walnut shells or wood chips can be used, but the oak leaves that drop naturally provide the tree with a source of nutrients. Avoid the use of packaged or commercial oak leaf mulch which could contain Oak Root Fungus. Redwood chips should not be used due to certain chemicals present in the wood.



Disease and Pests

Trees that are stressed, especially because of improper watering practices, are prone to certain diseases and attacks by pests.

The most damaging of these diseases is the Oak Root Fungus *Armillaria mellea*. Occurring naturally in the soil, the fungus thrives under wet conditions and dies back in the summer when soils dry out. This is why summer watering of oaks can be a deadly practice. As noted in the watering guidelines, wet soil in the summer allows the fungus to grow all year. As the population grows, their natural food sources are depleted and they begin feeding on oak tree roots. The fungus does not require an open wound in the tree to gain entry.

Indications of the fungus include:

- die back of branches or tips.
- honey colored fungus at or near the root crown.
- white fan-like fungus between wood and bark.
- the presence of black, shoestring-like growths in the soil.

Once the tree begins to show obvious signs of infection treatment is generally ineffective. The best treatment is to *avoid* the conditions that lead to Oak Root Fungus infections.

Pit Scale, Oak Moth, and other pests: any significant changes in leaf color, branch die back, presence of black sooty materials on leaves or other changes should be noted. Seek the advice of a professional forester, arborist, farm advisor or other expert before the application of any pesticides on an oak tree.

Planting Underneath Oaks

The natural leaf litter is by far the best ground cover within the protected zone. If plants must be placed, the following guidelines should be followed:

There should be no planting within a minimum 6 to 10 feet of the trunk.

Avoid plants that require any supplemental water once established.

Choose plants suited for "dry shade." Those listed in the box below offer some good choices. To see some examples of how these plants have been used under oaks refer to the Additional Resources section on the following page.

PLANTS TO CONSIDER:

Plant Name	Description
<i>Arctostaphylos densiflora</i> 'Howard McMinn' Manzanita	3' high, 6' wide. Toughest of available forms. Whitish-pink flowers.
<i>Arctostaphylos edmundsii</i> Little Sur Manzanita	1-2' high, 4-5' wide. Tolerant of full shade.
<i>Arctostaphylos hookeri</i> Monterey Carpet Manzanita	1-2' high, spreading to 12' wide by rooting branches. White to pink flowers.
<i>Ceanothus griseus horizontalis</i> Carmel Creeper	Less than 2 1/2' tall, low & creeping. Clusters of small blue flowers.
<i>Heuchera</i> spp. Coral Bells	2-4' mound. Flowers on an upright stem 2-3" high and spotted with red or pink.
<i>Mahonia aquifolium compacta</i> Oregon Grape	2-4' high, spreading by underground roots. Bright yellow flower clusters.
<i>Ribes viburnifolium</i> Evergreen or Catalina Currant	2-3' high, spreading to 12' wide. Flowers pink to red in small clusters.

NOTES:

Before deciding on plants, check a source such as the Sunset Western Garden Book to determine which plants will grow in your area.

When choosing shade tolerant plants, consider that the ground under the south side of the tree will get more sunlight while the northern side will tend to remain more deeply shaded.

ADDITIONAL RESOURCES and Places to Visit

Public Agencies

County of Los Angeles Fire Department
Prevention Bureau, Forestry Division
5823 Rickenbacker Road, Rm #123
Commerce, CA 90040-3027
(323) 890-4330
<http://lacofd.org/forestry.htm>

University of California
Integrated Hardwood Range Management Program
163 Mulford Hall, Berkeley, CA 94720-3114
<http://danr.ucop.edu/ihmp>

Private Organizations

The Theodore Payne Foundation
10459 Tuxford Street
Sun Valley, CA 91352-2126
(818) 768-1802
www.theodorepayne.org

California Native Plant Society
1722 J Street, Suite 17
Sacramento, CA 95814-3033
(916) 447-2677
www.cnps.org

The California Oak Foundation
1212 Broadway, Suite 810
Oakland, CA 94612-1810
(510) 763-0282
www.californiaoaks.org

Arboretums and Botanic Gardens

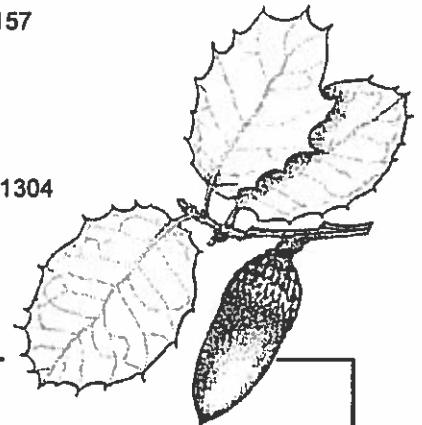
Los Angeles County Arboreta and Botanic Gardens
301 N. Baldwin Ave.
Arcadia, CA 91007-2697
(626) 821-3222
www.arboretum.org

Los Angeles County South Coast Botanic Garden
26300 Crenshaw Blvd.
Palos Verdes Peninsula, CA 90274-2515
(310) 544-6815
www.southcoastbotanicgarden.org

Los Angeles County Descanso Gardens
1418 Descanso Drive
La Canada-Flintridge, CA 91011-3102
(818) 949-4200
www.descansogardens.org

Rancho Santa Ana Botanic Garden
1500 North College
Claremont, CA 91711-3157
(909) 625-8767
www.rsabg.org

The Lummis Home
200 E. Avenue 43
Los Angeles, CA 90031-1304
(213) 222-0546



Publications

Compatible Plants Under and Around Oaks. Bruce W. Hagen... [et al]. The California Oak Foundation. 2000.

Growing California Native Plants. Marjorie G. Schmidt, Univ. California Press. 1981.

Illustrated Guide to the Oaks of the Southern Californian Floristic Province. Fred M. Roberts. FM Roberts Publications. 1996.

Living Among the Oaks: A Management Guide for Landowners. University of California Integrated Range Management Program. 1995.

Oaks of California. Bruce M. Pavlik...[et al]. Cachuma Press & the California Oak Foundation. 1995.

Proceedings of the Fifth Symposium on Oak Woodlands: Oaks in California's Changing Landscape. GTR PSW-GTR-184. Forest Service, U.S. Department of Agriculture. 2001.
Available from the University of California Integrated Hardwood Range Management Program.

Regenerating Rangeland Oaks in California. University of California Integrated Range Management Program. 2001.



County of Los Angeles Fire Department Forestry Division

County of Los Angeles Board of Supervisors

Gloria Molina, First District
Yvonne Brathwaite Burke, Second District
Zev Yaroslavsky, Third District
Don Knabe, Fourth District
Michael D. Antonovich, Fifth District

County of Los Angeles Fire Department

P. Michael Freeman, Fire Chief

Brush Clearance Unit
605 N. Angeleno Avenue
Azusa, CA 91702-2904
(626) 969-2375

Camp 17
6555 Stephens Ranch Road
La Verne, CA 91750-1144
(909) 593-7147

Environmental Review Unit
12605 Osborne Street
Pacoima, CA 91331-2129
(818) 890-5719

Fire Plan/Interpretive Unit
12605 Osborne Street
Pacoima, CA 91331-2129
(818) 890-5783

Fuel Modification Unit
605 N. Angeleno Avenue
Azusa, CA 91702-2904
(626) 969-5205

Henninger Flats Forestry Unit
2260 Pinecrest Drive
Altadena, CA 91001-2123
(626) 794-0675

Lake Hughes Forestry Unit
42150 N. Lake Hughes Road
Lake Hughes, CA 93532-9706
(661) 724-1810

Malibu Forestry Unit
942 N. Las Virgenes Road
Calabasas, CA 91302-2137
(818) 222-1108

San Dimas Forestry Unit
1910 N. Sycamore Canyon Road
San Dimas, CA 91773-1220
(909) 599-4615

Saugus Forestry Unit
28760 N. Bouquet Canyon Road
Saugus, CA 91390-1220
(661) 296-8558

Vegetation Management Unit
12605 Osborne Street
Pacoima, CA 91331-2129
(818) 890-5720